

REMARKS

I. Status and Disposition of the Claims

Claims 1-19, 21-23, 80-86, 90 and 91 are pending and stand rejected. Claims 1-4, 14-19, 21 and 80-84 are amended and claims 20, 33-35, 40-78, 87-89, 92 and 93 are canceled herein without prejudice. As suggested by the Examiner, claim 1 is amended to recite the elected species. Additionally, solely for the purposes of advancing prosecution, claims 1-4, 14-19, 21 and 80-84 are amended to delete the "at least one" language. Applicant does not believe this amendment is required, nor does Applicant believe the amendment alters the scope of the claims.

II. Provisional Non-Statutory Double Patenting Rejection

Claims 1-23, 33-35, 40, 46, 63-65, 80-86, 90 and 91 are provisionally rejected for non-statutory obviousness-type double patenting over various allowed claims of Application No. 10/734,301 ("the '301 application"). As suggested by the Examiner, Applicant submits herewith a Terminal Disclaimer signed by an attorney of record in this application.

III. Conclusion

Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 1-19, 21-23, 80-86, 90 and 91 in condition for allowance. Applicant submits that the proposed amendments of claims 1-4, 14-19, 21 and 80-84 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships

claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Additionally, Applicant submits that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.


In view of the foregoing remarks, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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